

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**HESS OIL VIRGIN ISLANDS CORP. and
AMERADA HESS CORPORATION,**

Plaintiffs,

v.

INGERSOLL-RAND COMPANY,

Defendant.

1:03-cv-147

**TO: Sunshine S. Benoit, Esq.
John H. Benham, Esq.**

ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL

THIS MATTER came before the Court for consideration upon Plaintiffs' Motion to Compel (Docket No. 122). Defendant filed an opposition to said motion, and Plaintiff filed a reply thereto.

Plaintiffs' motion contends that Defendant agreed to supplement certain responses to discovery and to provide their voluntary self-disclosures as required by Fed. R. Civ. P. 26 by May 29, 2009. Plaintiffs assert that Defendant has failed to provide the discovery as agreed.

Having reviewed the submissions of the parties and upon due consideration thereof, the Court finds that Defendant's failure to provide its initial Fed. R. Civ. P. 26 disclosures is inexcusable. The Court will order Defendant to provide such disclosures immediately or face sanctions. In addition, the Court finds that Plaintiffs are entitled to the supplementation as promised by Defendant and will order Defendant to supplement, to the extent possible, its responses to the interrogatories as set forth in Plaintiffs' motion.

Accordingly, it is now hereby **ORDERED**:

1. Plaintiffs' Motion to Compel (Docket No. 122) is **GRANTED**.
2. Defendant shall serve its initial Fed. R. Civ. P. 26 disclosures upon counsel for Plaintiffs on or before **Monday, August 3, 2009**. Any failure to comply shall result in sanctions.
3. Defendant shall serve its supplemental responses to interrogatories, as agreed, within ten (10) days from the date of entry of this Order.

ENTER:

Dated: July 29, 2009

/s/ George W. Cannon, Jr.
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE